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STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH

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Roy Romer
Governor

Thomas M. Vernon, M.D.
Executive Director

March 28, 1990

Robert M. Nelson, Manager
U.S. Department of Energy
Rocky Flats Area Office
P.O. Box 928
Golden, Colorado 80402-0928

Certified Mail #P 254 221 400

Phillip Warner, Manager
EG&G Rocky Flats Inc.
P.O. Box 928
Golden, Colorado 80402-0928

NOTICE OF VIOLATION
No. 90-03-28-01

Dear Messrs. Nelson and Warner:

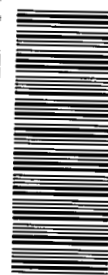
The Hazardous Materials and Waste Management Division has reviewed the "Ground-Water Assessment Plan for Rocky Flats", dated September 1989, that was submitted in response to Compliance Order 89-06-07-01. This Notice of Violation is to inform you that we have found the plan to be seriously deficient and not in compliance with the Colorado Hazardous Waste Regulations. Detailed comments on the plan are attached.

A ground-water quality assessment plan is required to provide specific procedures for determining whether hazardous waste or constituents have entered the ground water from regulated units and for determining the rate and extent of migration of any contamination. The plan must describe the aquifer that is to be monitored at each regulated unit. Detailed rationales must be presented for selection of investigative methods and for collection of specific data. Procedures for evaluation of collected data must also be explained.

The plan that was submitted provided only a general description of aquifers at the Rocky Flats Plant and did not provide detailed descriptions of the aquifer to be monitored at each unit. The units to be monitored vary considerably in hydrologic setting and potential contaminants. The ground-water assessment must be tailored to the conditions at each unit in order to provide an accurate picture of contaminant migration. The submitted plan did not describe methods for such unit-specific evaluations.

ADMIN RECORD

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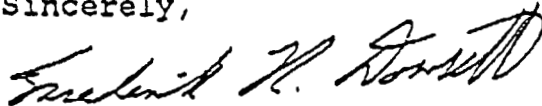
The plan does provide for installation of a number of new monitoring wells and collection of analytical data for a large suite of chemicals. However, very little information is provided as to how that data will be evaluated. Without a clear plan for data analysis, an effective investigation of contaminant migration is not possible.

A ground-water assessment plan that is both complete and adequate must be submitted to the Division by May 1, 1990. This plan is a requirement of Compliance Order 89-06-07-01 and of the Colorado Hazardous Waste Regulations.

We would like to discuss the deficiencies of the plan with you or your staff at your earliest convenience. Please contact Caren Johannes of my staff at 331-4874 to arrange a meeting to work toward resolving this long-standing enforcement matter.

We have also noted that the deficiencies observed in the ground-water assessment plan are similar to shortcomings noted for other investigative plans and reports that have been submitted by Rocky Flats. We urge you to address these systematic inadequacies in order to avoid serious consequences to the progress of site investigations and clean-ups at Rocky Flats.

Sincerely,



Frederick R. Dowsett, Unit Leader
Monitoring and Enforcement
Hazardous Materials and Waste
Management Division

FRD/fd

Attachment

cc: Nat Miullo, EPA
Donna Perla, EPA
Charles Brinkman, EPA
John Haggard, CDH - RFP
Tim Holeman, Gov. Office
Howard Brown, RFEMC